

June 21, 2005

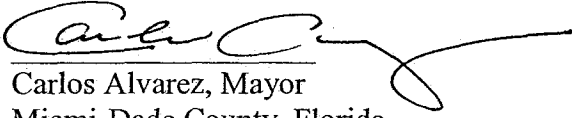
Agenda Item No. 2(A)1

CLERK OF THE BOARD
DATE AND TIME RECORDER STAMP

**OFFICE OF THE MAYOR
MIAMI-DADE COUNTY, FLORIDA**

VETO AND VETO MESSAGE

To: Honorable Chairperson and Members
Board of County Commissioners
Miami-Dade County, Florida

From: 
Carlos Alvarez, Mayor
Miami-Dade County, Florida

CLERK OF THE BOARD
2005 JUN 10 PM 4:35
CLERK, CIRCUIT & COUNTY COURTS
MIAMI-DADE COUNTY, FLA.

Pursuant to the authority vested in me under the provisions of Section 1.10.A of the Miami-Dade County Home Rule Charter, I hereby veto Ordinance number 05-111 adopted at the June 7, 2005 Board of County Commissioners Meeting:

ORDINANCE CHANGING THE BOUNDARIES OF THE CITY OF FLORIDA CITY, FLORIDA, AND AMENDING THE CHARTER OF SUCH MUNICIPALITY BY PROVIDING FOR THE ANNEXATION OF CERTAIN LANDS, UNDER AND PURSUANT TO PROCEEDINGS PRESCRIBED BY SECTION 5.04(B) OF THE HOME RULE CHARTER; PROVIDING FOR RESERVATION TO THE COUNTY OF ELECTRIC FRANCHISE, UTILITY TAX AND CIGARETTE TAX REVENUES; PROVIDING RETENTION OF GARBAGE AND REFUSE COLLECTION AND DISPOSAL; PROVIDING FOR PAYMENT OF DEBT SERVICE ON CERTAIN COUNTY BONDS; PROVIDING THAT THIS ORDINANCE WILL ONLY BECOME EFFECTIVE UPON THE OCCURRENCE OF CERTAIN EVENTS; SUPERSEDING CONFLICTING PROVISIONS; PROVIDING INTERDEPENDENCY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Veto Message

On Tuesday, June 7, 2005, the Board of County Commissioners (Board) approved an ordinance changing the boundaries of the City of Florida City (City), sponsored by Vice Chairman Dennis C. Moss. This decision was contrary to the recommendations of the County Manager, the Department of Planning and Zoning (DPZ), the Department of Environmental Resource Management (DERM), and the Planning Advisory Board. As I

will detail below, I believe that this ordinance is not in the best interest of the residents of Miami-Dade County and have therefore exercised my right to veto this ordinance.

Boundaries Change Procedure

Article I, Section 20-7 of the Code of Miami-Dade County provides guidelines that the Board *shall* consider at the conclusion of the public hearing, in evaluating the *appropriateness* of a petition for boundary change:

- "The proposed annexation area is totally contained within the Urban Development Boundary." [Sec. 20-7(3)]
- "Any other factor that arises by virtue of any special or unique circumstances of a given area" [Sec. 20-7(7)]

I filed this veto because the proposed annexation is one hundred percent (100%) outside of the Urban Development Boundary (UDB) and the Urban Expansion Area (UEA). This annexation is unique in that no other annexations have been approved completely outside the UEA. Recently, there have been two annexations including areas outside of the UDB, but within the UEA. In one case, the Hialeah Gardens annexation approval was contingent upon the removal of approximately 650 acres outside of the UEA. While this annexation does not move the UDB, public records demonstrate intentions to develop within the annexed area at a greater density than is currently permitted (see below). This fact should have been an important consideration in deciding whether this annexation should be approved.

Land Use

I am aware that the annexation is contingent upon an interlocal agreement wherein the City shall obtain the County's pre-approval for land use and land development outside the UDB. It is comforting that Florida City Mayor Otis T. Wallace's stated that the City has no intentions of developing the area with greater density than that currently approved by the Miami-Dade County Comprehensive Development Master Plan (CDMP) (currently one house per five acres).

As I mentioned above, Section 20-7 of the Code states that any other factor that arises by virtue of any special or unique circumstances of a given area *shall* be used in evaluating the appropriateness of a petition for boundary change. There is a special circumstance in this annexation in that a developer has had a pre-application conference with the South Florida Regional Planning Council for a Development of Regional Impact (DRI) within the area to be annexed. The DRI, although preliminary, includes plans for 6,000 residential units, 300,000 square feet of retail space, 90,000 square feet of office space, a 1,800 seat theater, a 240 room hotel, two schools, and 60 acres of parks. When the annexation area is mapped over the DRI, the only area outside the DRI is a small portion required to make the area contiguous to the City which suggest other reasons for annexation.

Environmental Impacts

The Board has previously approved the South Miami-Dade Watershed Study at a cost of \$3.08 million (including County funding of \$980,000). The study will culminate in a plan and recommendations to guide land-use planning in South Miami-Dade County for the next fifty (50) years. Results of Phase I of the Watershed Study are expected by November 2005. I agree with Commissioners Gimenez, Heyman, Sorenson, and Sosa that the results should have been known, reviewed, and considered before the annexation application was approved by the Board. Until this and other studies are completed, there is insufficient data as to what effect this annexation would have on South Florida.

The 1,727 acre annexation area is part of the Biscayne Bay Coastal Wetlands Area within the Comprehensive Everglades Restoration Plan (CERP) and contains environmentally endangered lands that are strategically significant to ongoing regional restoration and contain extensive wetlands, mitigation lands, and wildlife habitat which are worth protecting. Furthermore, DERM has raised concerns that future development may result in increased flooding due to stormwater management difficulties. It is simply not prudent to proceed with allowing this annexation when the known and unknown impacts - including flooding, hurricane evacuation issues, and the possible impact of our drinking water supply - to Miami-Dade and our neighbors to the south in Monroe County are still being identified.

Closing

I commend Mayor Wallace for his attempts to increase his City's tax base in furtherance of the Board's policy to promote annexation, as opposed to incorporation; however, as the Mayor of Miami-Dade County, I must protect the interest of the residents of this County, neighboring counties, and future generations. As such, I echo Commissioner Carey-Shuler in urging the City of Florida City to look at its surrounding area for annexation opportunities within the UDB (approximately 1,500 acres to the west). This annexation was premature and should have been delayed at least until pending studies come to completion. Only then will we, as a County, be in the position to determine growth management issues and be better able to make informed decisions regarding this matter and future annexation and incorporation issues. Above all, the expansion of our community must be managed carefully and options maximized to increase development within the UDB.

MEMORANDUM

Alternate
Agenda Item No. 5(AA)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: June 7, 2005

FROM: Robert A. Ginsburg
County Attorney

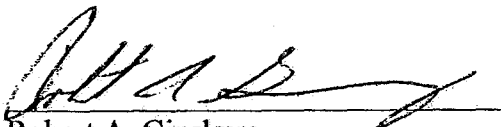
SUBJECT: Ordinance changing
boundaries of City of
Florida City

05-111

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Dennis C. Moss.

The alternate differs from the original proposal as follows:

1. The boundaries of the annexation area proposed in the alternate ordinance are reduced from the boundaries proposed by the original item.
2. The alternate item attaches a resolution of the Mayor and the City Commission of the City of Florida City indicating their agreement to the proposed reduced boundaries.


Robert A. Ginsburg
County Attorney

RAG/bw

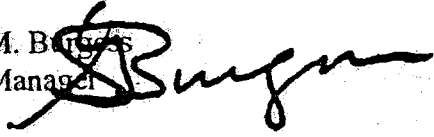
Memorandum

MIAMI-DADE
COUNTY

Date: June 7, 2005

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

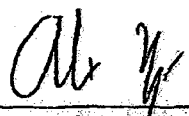
From: George M. Burgess
County Manager



Subject: Ordinance changing the Boundaries of the City of Florida City

This ordinance changing the boundaries of the City of Florida City will have no fiscal impact to Miami-Dade County.

The proposed annexation area is vastly undeveloped and agricultural requiring a minimal service level by the County. These services (mostly police services) are covered by the estimated value of general fund revenues generated within the area.



Assistant County Manager

Fiscal03205



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: June 7, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Alternate
Agenda Item No. 5 (AA)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☒ No committee review

Approved _____ Mayor _____ Alternate _____
Veto 6/10/05 oc Agenda Item No. 5(AA)
Override _____ 6-7-05

ORDINANCE NO. **05-111**

ORDINANCE CHANGING THE BOUNDARIES OF THE CITY OF FLORIDA CITY, FLORIDA, AND AMENDING THE CHARTER OF SUCH MUNICIPALITY BY PROVIDING FOR THE ANNEXATION OF CERTAIN LANDS, UNDER AND PURSUANT TO PROCEEDINGS PRESCRIBED BY SECTION 5.04(B) OF THE HOME RULE CHARTER; PROVIDING FOR RESERVATION TO THE COUNTY OF ELECTRIC FRANCHISE, UTILITY TAX AND CIGARETTE TAX REVENUES; PROVIDING RETENTION OF GARBAGE AND REFUSE COLLECTION AND DISPOSAL; PROVIDING FOR PAYMENT OF DEBT SERVICE ON CERTAIN COUNTY BONDS; PROVIDING THAT THIS ORDINANCE WILL ONLY BECOME EFFECTIVE UPON THE OCCURRENCE OF CERTAIN EVENTS; SUPERSEDING CONFLICTING PROVISIONS; PROVIDING INTERDEPENDENCY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the City of Florida City originally applied to annex certain lands in unincorporated Miami-Dade County, as more specifically described in Resolution No. 03-29 of the Mayor and City Council of the City of Florida City, which resolution is attached hereto as Attachment 1; and

WHEREAS, the Mayor and the City Council of the City of Florida City agree to a reduction of the area sought to be annexed by Florida City, pursuant to Resolution No. 05-21 of the Mayor and City Council of the City of Florida City adopted on May 10, 2005, which is attached hereto as Attachment 2,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The foregoing recitations are hereby incorporated herein as a portion of this ordinance.

Section 2. The municipal boundaries of the City of Florida City are hereby changed, extended and enlarged, and the charter of such municipality is hereby amended by the annexation to the City of Florida City of the following property:

**CITY OF FLORIDA CITY
ANNEXATION
LEGAL DESCRIPTION**

See Attachment 3 which is incorporated herein by reference encompassing an area generally depicted in Attachment 4.

Section 3. Pursuant to Section 20-8.1, 20-8.2 and 20-8.3 of the Code of Miami-Dade County (Ordinance Nos. 61-8 as amended, 70-84 as amended, and 70-85 as amended), this ordinance shall be effective only upon the condition and with the reservation that the County shall continue to collect and reserve all electric franchise revenues accruing within the annexed area during the full term of the County franchise, and the County shall forever continue to collect and receive all utility tax revenues and all cigarette tax revenues accruing within the annexed area in the same manner as though the annexed area remained a part of the unincorporated areas of the County.

Section 4. Pursuant to Section 20-8.4, Code of Miami-Dade County (Ordinance No. 96-30 as amended), this ordinance shall be effective only upon the condition and with the reservation that the County shall forever continue to collect and dispose of all residential waste, if any, within the annexed area in the same manner as though such annexed areas remained part of the unincorporated areas of the County, unless the authority to collect such waste is delegated

105-111

by the County to the governing body of the municipality through a twenty (20) year interlocal agreement which provides for collection services, and a twenty (20) year interlocal agreement which provides for disposal services in substantially the form approved by Resolution No. R-1198-95.

Section 5. This ordinance shall be effective only if the City of Florida City executes a duly authorized interlocal agreement wherein it agrees, among other things, to:

(a) pay to Miami-Dade County the annexed area's (i) prorated share of any County debt outstanding at the time the area is annexed for which revenues from the annexed area have been pledged for repayment of or security for such debt and (ii) its prorated share of any refunding of such debt; this obligation shall include, but not be limited to the annexed area's prorated share of the Stormwater Utility Revenue Bonds debt, and

(b) obtain County pre-approval of land uses and land development regulations outside Miami-Dade County's Urban Development Boundary which shall be consistent with the Miami-Dade County Comprehensive Development Master Plan ("CDMP"), and agree that Miami-Dade County retains jurisdiction regarding applications to amend the CDMP or Developments of Regional Impact in connection with CDMP Amendments in that portion of the annexed area lying outside the Urban Development Boundary.

Section 6. The provisions of this ordinance are interdependent upon one another, and the entire ordinance shall be deemed invalid if any of its provisions are declared invalid or unconstitutional. If any of the sections of this ordinance are found or adjudged to be illegal, void or of no effect, the entire ordinance shall be null and void and of no force or effect.

Section 7. All special laws applying only to Miami-Dade County, Florida, or to any municipality in Miami-Dade County, or any general law which the Board of County

Commissioners is authorized by the Constitution or the Home Rule Charter to supersede, nullify, modify or amend, or any part of any such law, or any prior ordinances or resolutions of Miami-Dade County in conflict with the procedures for the annexation of the annexed land by Florida City, are hereby superseded.

Section 8. This ordinance shall be subject to the adoption of an interlocal agreement between Florida City and Miami-Dade County which requires land uses and land development regulations in the annexed area outside Miami-Dade County's Urban Development Boundary to be consistent with the Miami-Dade County Comprehensive Development Master Plan (Master Plan) and which provides further that Miami-Dade County retains jurisdiction regarding applications to amend the Master Plan or Developments of Regional Impact in connection with Master Plan Amendments in that portion of the annexed area lying outside the Urban Development Boundary.

Section 9. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

JUN - 7 2005

Approved by County Attorney as
to form and legal sufficiency:

RAG

Prepared by:

CJS/CHC

Cynthia Johnson-Stacks
Craig H. Collier

Sponsored by Commissioner Dennis C. Moss

05-111

10

RESOLUTION NO. 03-29

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF FLORIDA CITY REQUESTING THE
BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY TO EFFECT BY
ORDINANCE ANNEXATION OF THE SUBJECT
PROPERTY (AREA "C1") INTO THE
JURISDICTION OF THE CITY OF FLORIDA CITY**

WHEREAS, Section 5.04 of the Charter of Metropolitan Miami-Dade County, Florida, empowers the Board of County Commissioners of Miami-Dade County, Florida, to effect annexation on request of the governing body of a municipality; and

WHEREAS, the governing body of the City of Florida City consists of the City Commission; and

WHEREAS, the subject Annexation Area "C1" is located generally east of U. S. Highway 1 and south of East Palm Drive (SW 344th Street), and specific legal description of the subject real property is contained in Exhibit A attached to this resolution;

WHEREAS, the City of Florida City has prepared an annexation report containing the information and justification required by Chapter 20 of the Miami-Dade County Code (see Exhibit B);

WHEREAS, the proposed Annexation Area "C1" is adjacent to the City and can be more effectively served by Florida City services and facilities; and

WHEREAS, the City Commission of the City of Florida City is making this request in order to provide for its future city growth needs in a prudent and orderly fashion;

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY
COMMISSIONERS OF THE CITY OF FLORIDA CITY, FLORIDA:**

That the City of Florida City hereby requests the Board of County Commissioners of Miami-Dade County, Florida, pursuant to Section 5.04 of the Charter of Metropolitan Miami-Dade County and Chapter 20 of the Miami-Dade County Code of Ordinances, to effect annexation of the property designated Area "C1" as legally described in Exhibit A attached hereto and made a part hereof. In addition, that formal application requesting this annexation be made to Miami-Dade County as soon as possible utilizing the annexation report contained in Exhibit B to this resolution.

PASSED AND ADOPTED by the Mayor and City Commissioners of the City of Florida City, Florida, this 9th day of September 2003.

Otis T. Wallace
OTIS T. WALLACE, Mayor

Attest:

Sheila Paul
SHEILA PAUL, City Clerk

Approved as to form and legal sufficiency:
Lloyd S. Marks
ELOYD S. MARKS, City Attorney

Offered by: Mayor Otis T. Wallace

Motion to adopt by Commissioner Dorsett seconded by Commissioner Shiver.

FINAL VOTE AT ADOPTION

Mayor Otis T. Wallace
Vice Mayor Eugene D. Berry
Commissioner Tommy Dorsett
Commissioner R.S. Shiver
Commissioner Juanita S. Smith

| |
|--------|
| Yes |
| Absent |
| Yes |
| Yes |
| Yes |

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Sheila Paul
Of the City of Florida City, Florida do hereby certify
that the above and foregoing is a true and correct
copy of the original thereof on file in this office.
WITNESS, my hand and the seal of said City

this 18th day of Sept. AD 20 03
By: Sheila Paul

EXHIBIT A

Florida City's Annexation Area "C1"

Legal Description

SECTION - TOWNSHIP - RANGE

- 27-57-39 All of the south ½ of Section 27-57-39.
- 28-57-39 All of the south ½ of Section 28-57-39.
- 29-57-39 All of the south ½ of Section 29-57-39.
- 30-57-39 All of Block 4, Section 30-57-39. All of Lots 1, 2, 3, 4, 13, 14, 15 & 16, Block 3, Section 30-57-39. That portion of Lot 5, Block 3, Section 30-57-39, lying east of the Center Line of US 1. Those portions of Lots 10, 11 & 12, Block 3, Section 30-57-39, lying east of the Center Line of Card Sound Road.
- 31-57-39 All of Lots 1-8 and Lots 10-16, Block 1, Section 31-57-39. That part of Lot 9, Block 1, Section 31-57-39 lying east of Center line of Card Sound Road. All of Lot 1, Block 2, Section 31-57-39. Those portions of Lots 2, 3, 14, 15 & 16, Block 2, Section 31-57-39 lying east of the Center Line of Card Sound Road. All of Lots 1, 2, 3, 14, 15 & 16 Block 4, Section 31-57-39. Those portions of Lots 4, 5, 6, 10, 11, 12 & 13, Block 4, Section 31-57-39, lying east of Center Line of Card Sound Road.
- 32-57-39 All of section 32-57-39.
- 33-57-39 All of Section 33-57-39.
- 04-58-39 All of Section 04-58-39.
- 05-58-39 All of Block 1, Section 5-58-39. All of Lots 1-7 and Lots 11-16, Block 2, Section 5-58-39. Those portions of Lots 8, 9, 10, Block 2, Section 5-58-39, lying east of the Center Line of Card Sound Road. All of Lots 1, 2, 15 & 16 of Block 3, Section 5-58-39. Those portions of Lots 3, 4, 5, 6, 12, 13 & 14, Block 3, Section 5-58-39, lying east of the Center Line of Card Sound Road. All of Block 4, Section 05-58-39.
- 06-58-39 Those portions of Lots 1, 2, 15 & 16, Block 1, Section 06-58-39, lying east of the Center Line of Card Sound Road.
- 08-58-39 All of Lots 1-6 and Lots 12-16 of Block 1, Section 08-58-39. Those portions of Lots 7, 8, 10, & 11 of Block 1, Section 08-58-39 lying east of the Center Line of Card Sound Road. Those portions of Lot 1 and 16, Block 2, Section 08-58-39, lying east of the Center Line of Card Sound Road. All of Lot 1, the north ½ of Lot 2 and the north ½ of Lot 16, Block 4, Section 08-58-39. Those portions of Lots 3 and 4 and the north ½ of the south ½ of Lot 2, Block 4, Section 08-58-39, lying east of the Center Line of Card Sound Road.

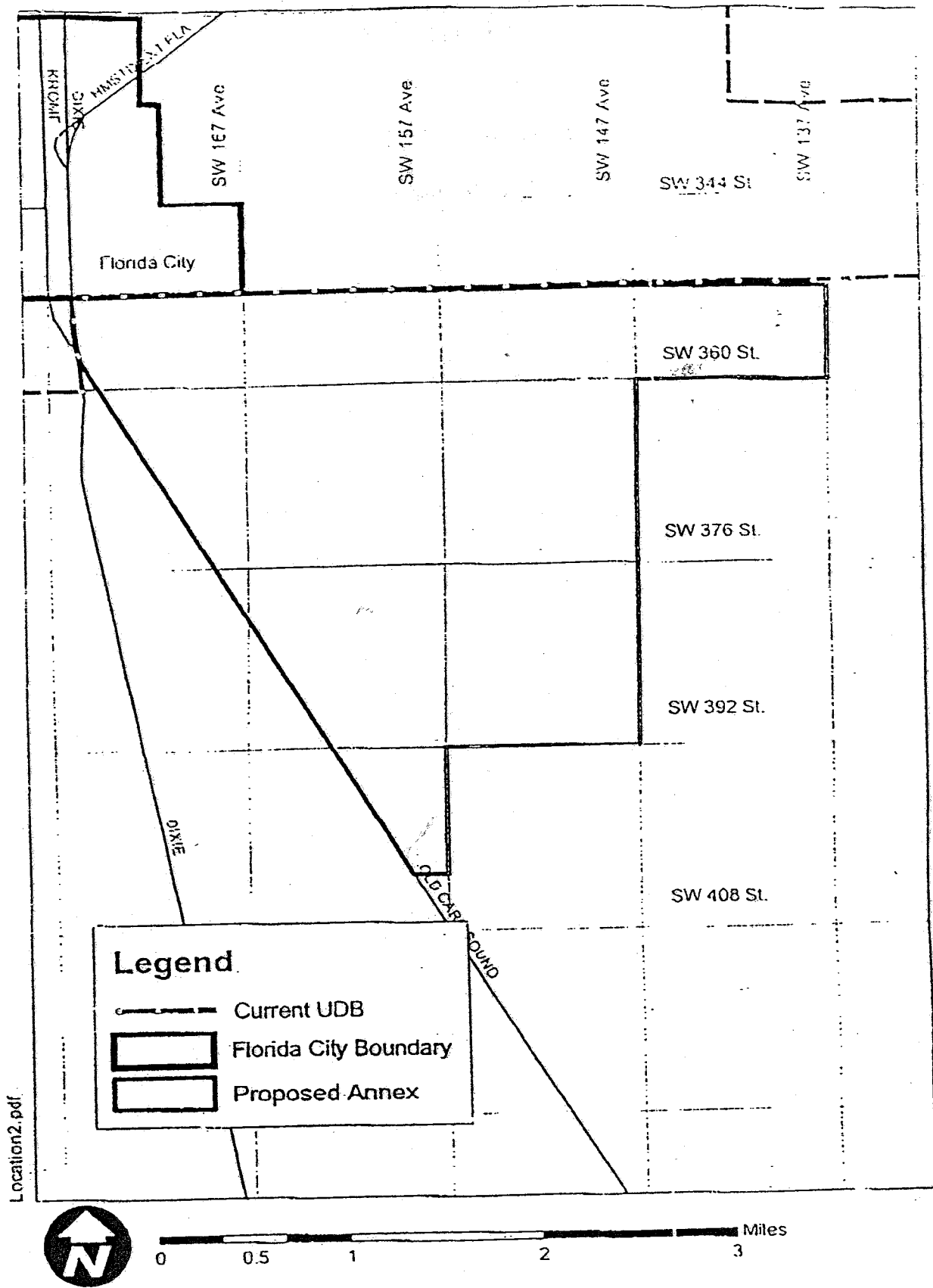
Gross Area = 4,292 Acres

EXHIBIT B

Annexation Area "C1" Report

(To be provided)

Proposed Florida City Annex Area "C"



RESOLUTION NO. 05-21

A RESOLUTION OF THE CITY OF FLORIDA CITY, FLORIDA, EXPRESSING NO OBJECTION AND SUPPORT FOR CONSIDERATION AND ADOPTION OF THE ALTERNATE, REVISED AND REDUCED BOUNDARIES PROPOSED BY MIAMI-DADE COUNTY COMMISSIONER DENNIS MOSS AS AN ALTERNATIVE TO THE BOUNDARIES PROPOSED BY THE CITY OF FLORIDA CITY, FLORIDA, IN RESOLUTION NUMBER 03-29

WHEREAS the City of Florida City, Florida adopted Resolution Number 03-29 supporting Annexation of the therein described area to the municipal boundaries of the City of Florida City, Florida (See attached Resolution); and

WHEREAS the City of Florida City, Florida filed an application with Miami-Dade County seeking annexation of the area described in the above-referenced Resolution; and

WHEREAS Miami-Dade County, Florida accepted and processed that application by conducting staff analysis and setting a schedule for consideration; and

WHEREAS the application has been considered by both Miami-Dade County's Boundary Commission and Planning Advisory Board; and

WHEREAS after Hearing in Committee, the Board of County Commissioners of Miami-Dade County instructed the County Attorney to draft an Ordinance for consideration by the County Commission, which included the Boundaries requested by The City of Florida City, Florida; and

| | | | | | |
|------------------------|---------------|------|---------|--------------|---|
| Post-It® Fax Note 7671 | | Date | 5-11 | # of Pages | 0 |
| To | m. de la Cruz | | From | J. R. Miller | |
| Co/Dept | | | Co. | | |
| Phone # | | | Phone # | | |
| Fax # | 305-443-8616 | | Fax # | | |

ATTACHMENT 2

WHEREAS Miami-Dade County Commissioner Dennis Moss will be filing an alternate or substitute Resolution with revised and reduced boundaries for annexation; and

WHEREAS the Mayor and City Commission have been requested to review the revised and reduced boundaries and state the City's position with respect thereto;

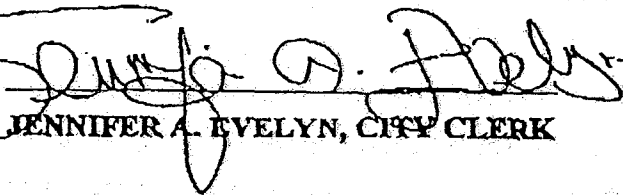
NOW THEREFORE, BE it resolved that the City Commission of Florida City, Florida has no objection to the revised and reduced boundaries proposed in the alternate or substitute ordinance and supports the consideration and adoption of the alternate revised and reduced boundaries for adoption in lieu of the original proposed boundaries:

PASSED AND ADOPTED by the Mayor and City Commission of the City of Florida City, Florida this 10th day of May, 2005

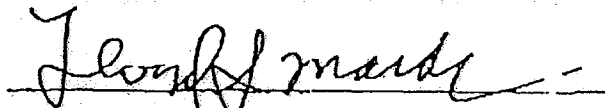


OTIS T. WALLACE, MAYOR

Attest:


JENNIFER A. EVELYN, CITY CLERK

Approved as to form and legal sufficiency:


LLOYD S. MARKS, City Attorney

Offered by: Mayor

Motion to adopt by Comm. Dorsett seconded by Comm. R.S. Shiver

FINAL VOTE AT ADOPTION

| | |
|------------------------------|---------------|
| Mayor Otis T. Wallace | <u>Yes</u> |
| Vice Mayor Juanita S. Smith | <u>Yes</u> |
| Commissioner Tommy Dorsett | <u>Yes</u> |
| Commissioner R.S. Shiver | <u>Yes</u> |
| Commissioner Eugene D. Berry | <u>Absent</u> |

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Tennor A. Favelon
Of the City of Florida City, Florida do hereby certify
that the above and foregoing is a true and correct
copy of the original thereof on file in this office.
WITNESS, my hand and the seal of said City

this 11th day of MAY 2005

[Signature]

[Signature]

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EXHIBIT "A"

Florida City's Annexation Area "C1" "Reduced"

Legal Description

A portion of Miami-Dade County, Florida being generally described as:

BEGINNING at the intersection of State Road 5 (U.S. Highway Number 1) with SW 352nd Street,

run east along the centerline of SW 352 Street to the intersection with the West line of the East one-half of the Southeast one-quarter of Section 28, Township 57 South Range 39 East;

thence South along the West line of the East one-half of the Southeast one-quarter of said Section 28 to the intersection with the North line of the Florida Power and Light Company's property also being the North line of the North 330 feet of the South 530 feet of Lots 9, 10 and 11, Block 4 in said Section 28 of THE PLAT OF LANDS BELONGING TO THE MIAMI LAND AND DEVELOPMENT COMPANY according to the plat thereof as recorded in Plat Book 5, Page 10 of the Public Records of Miami-Dade County Florida;

thence West along said North line of the Florida Power and Light Company's property and its Westerly extension to the intersection with the centerline of SW 152nd Avenue (Kingman Road);

thence South along the centerline of SW 152nd Avenue (Kingman Road) to the intersection with the centerline of SW 368 Street;

thence West along the centerline of SW 368th Street to the intersection with the East line of the Northwest one-quarter of the Southwest one-quarter Section 33, Township 57 South, Range 39 East;

thence South along the East line of the Northwest one-quarter of the Southwest one-quarter said Section 33 to the intersection with the North line of the Southwest one-quarter of the Southwest one-quarter of said Section 33;

thence West along the North line of the Southwest one-quarter of the Southwest one-quarter of said Section 33 to the intersection with the East line of the West one-half of the Southwest one-quarter of the Southwest one-quarter of said Section 33;

thence South along the East line of the West one-half of the Southwest one-quarter of the Southwest one-quarter of said Section 33 to the intersection with the centerline of SW 376th Street;

thence West along the centerline of SW 376th Street to the intersection with the centerline of SW 167th Avenue (Tennessee Road);

thence North along the centerline of SW 167th Avenue (Tennessee Road) to the intersection with the centerline of SW 360th Street (Lucille Drive);

thence West along the centerline of SW 360th Street (Lucille Drive) to the intersection with the centerline of Card Sound Road;

thence Northwesterly along the centerline of Card Sound Road to the intersection with the centerline of State Road 5 (US Highway Number 1);

thence North along the centerline of State Road 5 (US Highway Number 1) to the intersection with the centerline of SW 352nd Street and the POINT OF BEGINNING

The portion of Miami-Dade County generally described above is more particularly described as follows:

The Southwest one-quarter of Section 28, Township 57 South, Range 39 East.

That portion of the West one-half of the Southeast one-quarter of Section 28, Township 57 South, Range 39 East lying North of the North line and the Westerly of the North line of the North 330 feet of the South 530 feet of Lots 9, 10 and 11, Block 4 in said Section 28 of THE PLAT OF LANDS BELONGING TO THE MIAMI LAND AND DEVELOPMENT COMPANY according to the plat thereof as recorded in Plat Book 5, Page 10 of the Public Records of Miami-Dade County Florida;

The South one-half of Section 29, Township 57 South, Range 39 East.

That portion of the South one-half of Section 30, Township 57 South, Range 39 East, lying East of the centerline of State Road 5 (US 1) and lying East of the centerline of Card Sound Road.

Section 32, Township 57 South, Range 39 East.

The Northwest one-quarter of Section 33, Township 57 South, Range 39 East.

The Northwest one-quarter of the Southwest one-quarter of Section 33, Township 57 South, Range 39 East.

The West one-half of the Southwest one-quarter of the Southwest one-quarter of Section 33, Township 57 South, Range 39 East

All in Miami-Dade County, Florida.

RESOLUTION NO. 03-29

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF FLORIDA CITY REQUESTING THE
BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY TO EFFECT BY
ORDINANCE ANNEXATION OF THE SUBJECT
PROPERTY (AREA "C1") INTO THE
JURISDICTION OF THE CITY OF FLORIDA CITY**

WHEREAS, Section 5.04 of the Charter of Metropolitan Miami-Dade County, Florida, empowers the Board of County Commissioners of Miami-Dade County, Florida, to effect annexation on request of the governing body of a municipality; and

WHEREAS, the governing body of the City of Florida City consists of the City Commission; and

WHEREAS, the subject Annexation Area "C1" is located generally east of U. S. Highway 1 and south of East Palm Drive (SW 344th Street), and specific legal description of the subject real property is contained in Exhibit A attached to this resolution;

WHEREAS, the City of Florida City has prepared an annexation report containing the information and justification required by Chapter 20 of the Miami-Dade County Code (see Exhibit B);

WHEREAS, the proposed Annexation Area "C1" is adjacent to the City and can be more effectively served by Florida City services and facilities; and

WHEREAS, the City Commission of the City of Florida City is making this request in order to provide for its future city growth needs in a prudent and orderly fashion;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF FLORIDA CITY, FLORIDA:

That the City of Florida City hereby requests the Board of County Commissioners of Miami-Dade County, Florida, pursuant to Section 5.04 of the Charter of Metropolitan Miami-Dade County and Chapter 20 of the Miami-Dade County Code of Ordinances, to effect annexation of the property designated Area "C1" as legally described in Exhibit A attached hereto and made a part hereof. In addition, that formal application requesting this annexation be made to Miami-Dade County as soon as possible utilizing the annexation report contained in Exhibit B to this resolution.

PASSED AND ADOPTED by the Mayor and City Commissioners of the City of Florida City, Florida, this 9th day of September 2003.

Otis T. Wallace

OTIS T. WALLACE, Mayor

Attest:

Sheila Paul

SHEILA PAUL, City Clerk

Approved as to form and legal sufficiency:

Lloyd S. Marks

LLOYD S. MARKS, City Attorney

Offered by: Mayor Otis T. Wallace

Motion to adopt by Commissioner Dorsett seconded by Commissioner Shiver.

FINAL VOTE AT ADOPTION

Mayor Otis T. Wallace
Vice Mayor Eugene D. Berry
Commissioner Tommy Dorsett
Commissioner R.S. Shiver
Commissioner Juanita S. Smith

| |
|--------|
| Yes |
| Absent |
| Yes |
| Yes |
| Yes |

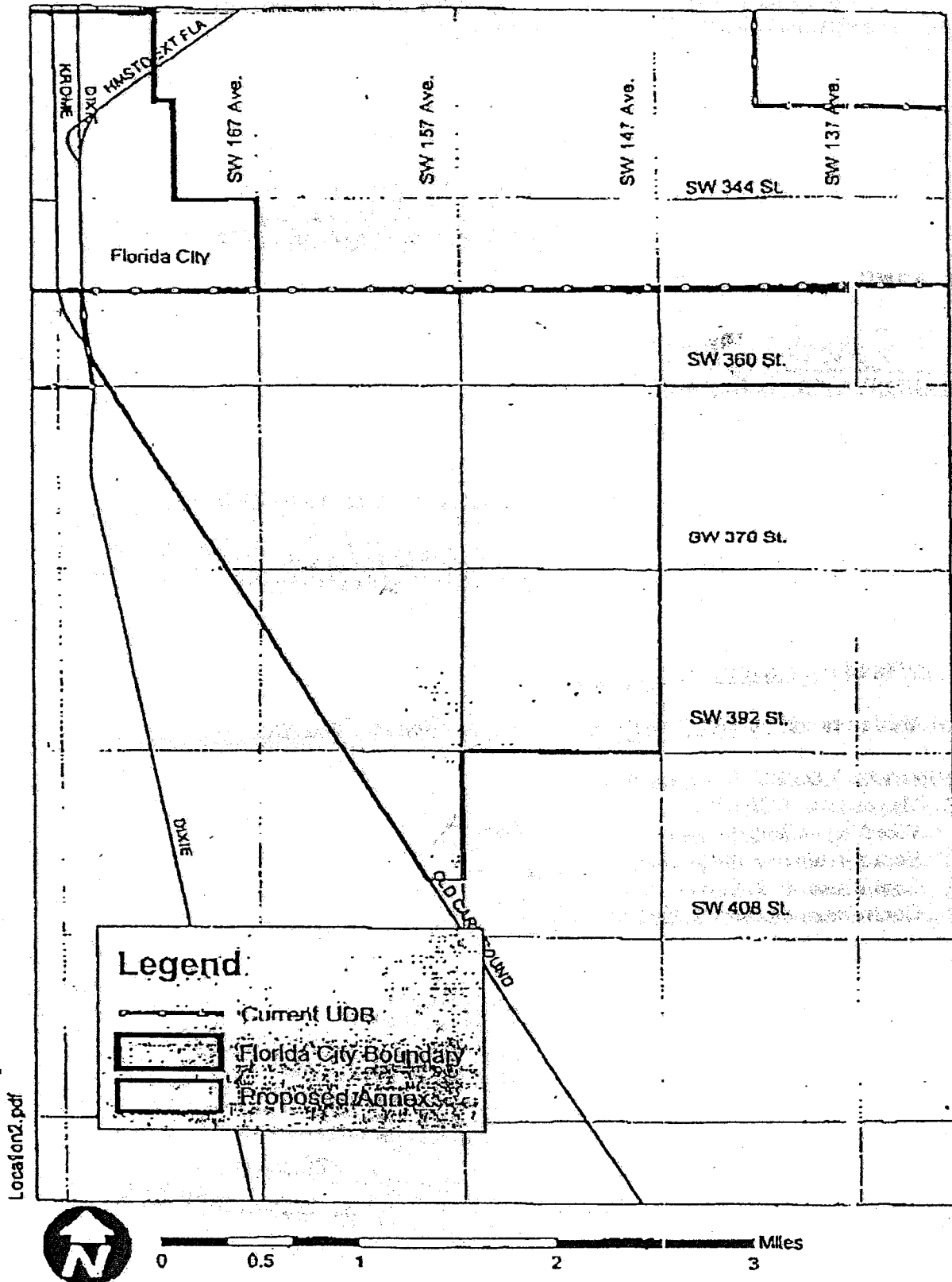
STATE OF FLORIDA
COUNTY OF MIAMI-DADE

George A. Burt
I, George A. Burt, Mayor of the City of Florida City, do hereby certify that the above and foregoing is a true and correct copy of the original thereof on file in this office.

WITNESS my hand and seal of said City this 11th day of September AD 2003

George A. Burt

Proposed Florida City Annex Area "C1"



Attachment 3

Florida City's Annexation Area "C1" "Reduced"

Legal Description

A portion of Miami-Dade County, Florida being generally described as:

BEGINNING at the intersection of State Road 5 (U.S. Highway Number 1) with SW 352nd Street,

run east along the centerline of SW 352 Street to the intersection with the West line of the East one-half of the Southeast one-quarter of Section 28, Township 57 South, Range 39 East;

thence South along the West line of the East one-half of the Southeast one-quarter of said Section 28 to the intersection with the North line of the Florida Power and Light Company's property also being the North line of the North 330 feet of the South 530 feet of Lots 9, 10 and 11, Block 4 in said Section 28 of THE PLAT OF LANDS BELONGING TO THE MIAMI LAND AND DEVELOPMENT COMPANY according to the plat thereof as recorded in Plat Book 5, Page 10 of the Public Records of Miami-Dade County Florida;

thence West along said North line of the Florida Power and Light Company's property and its Westerly extension to the intersection with the centerline of SW 152nd Avenue (Kingman Road);

thence South along the centerline of SW 152nd Avenue (Kingman Road) to the intersection with the centerline of SW 368 Street;

thence West along the centerline of SW 368th Street to the intersection with the East line of the Northwest one-quarter of the Southwest one-quarter Section 33, Township 57 South, Range 39 East;

thence South along the East line of the Northwest one-quarter of the Southwest one-quarter said Section 33 to the intersection with the North line of the Southwest one-quarter of the Southwest one-quarter of said Section 33;

thence West along the North line of the Southwest one-quarter of the Southwest one-quarter of said Section 33 to the intersection with the East line of the West one-half of the Southwest one-quarter of the Southwest one-quarter of said Section 33;

thence South along the East line of the West one-half of the Southwest one-quarter of the Southwest one-quarter of said Section 33 to the intersection with the centerline of SW 376th Street;

thence West along the centerline of SW 376th Street to the intersection with the centerline of SW 167th Avenue (Tennessee Road);

thence North along the centerline of SW 167th Avenue (Tennessee Road) to the intersection with the centerline of SW 360th Street (Lucille Drive);

thence West along the centerline of SW 360th Street (Lucille Drive) to the intersection with the centerline of Card Sound Road;

thence Northwesterly along the centerline of Card Sound Road to the intersection with the centerline of State Road 5 (US Highway Number 1);

thence North along the centerline of State Road 5 (US Highway Number 1) to the intersection with the centerline of SW 352nd Street and the POINT OF BEGINNING

The portion of Miami-Dade County generally described above is more particularly described as follows:

The Southwest one-quarter of Section 28, Township 57 South, Range 39 East.

That portion of the West one-half of the Southeast one-quarter of Section 28, Township 57 South, Range 39 East lying North of the North line and the Westerly of the North line of the North 330 feet of the South 530 feet of Lots 9, 10 and 11, Block 4 in said Section 28 of THE PLAT OF LANDS BELONGING TO THE MIAMI LAND AND DEVELOPMENT COMPANY according to the plat thereof as recorded in Plat Book 5, Page 10 of the Public Records of Miami-Dade County Florida;

The South one-half of Section 29, Township 57 South, Range 39 East.

That portion of the South one-half of Section 30, Township 57 South, Range 39 East, lying East of the centerline of State Road 5 (US 1) and lying East of the centerline of Card Sound Road.

Section 32, Township 57 South, Range 39 East.

The Northwest one-quarter of Section 33, Township 57 South, Range 39 East.

The Northwest one-quarter of the Southwest one-quarter of Section 33, Township 57 South, Range 39 East.

The West one-half of the Southwest one-quarter of the Southwest one-quarter of Section 33, Township 57 South, Range 39 East

All in Miami-Dade County, Florida.

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FLORIDA CITY ANNEXATION AREA C-1

SCALE: NOT TO SCALE

SHEET 1 OF 1

NOT A SURVEY

FLORIDA CITY ANNEXATION
AREA C-1 BOUNDARY
CITY LIMIT BOUNDARY

